

Committee on Resources, Subcommittee on Water & Power

[water](#) - - Rep. Ken Calvert, Chairman

U.S. House of Representatives, Washington, D.C. 20515-6204 - - (202) 225-8331

Witness Statement

**Testimony on behalf of
THE WESTERN GOVERNORS' ASSOCIATION
on
Western Water Issues
National Drought Policy
Before the
House Resources Subcommittee on Water and Power**

March 27, 2001

Mr. Chairman and members of the Committee, thank you for the opportunity to appear before you today to discuss an issue of great importance to the Western states - Western water and specifically the status of drought planning and response. My name is Jennifer Salisbury. While I am the Secretary of the New Mexico Department of Energy, Minerals, and Natural Resources, I appear today on behalf of New Mexico Governor Gary Johnson, who is the Lead Governor for the Western Governors' Association Drought Program. The Western Governors' Association is an independent, nonprofit organization representing the governors of 18 states, American Samoa, Guam and the Northern Mariana Islands. Through their Association, the Western governors identify and address key policy and governance issues in natural resources, the environment, human services, economic development, international relations and public management.

Drought is a normal part of the climate for virtually all regions of the United States, but it is of particular concern in the West, where any interruption of the region's already limited water supplies over extended periods of time can produce devastating impacts. Records indicate that drought occurs somewhere in the West almost every year. However, it is multi-year drought events that are of the greatest concern to planners, natural resource managers and government policy makers.

Water scarcity continually defines and redefines the West. The steady growth that has been characteristic for much of the West today creates increased demands for agricultural, municipal and industrial water supplies. Furthermore, such competing demands as the public's rising concern for meeting "quality of life" and environmental objectives create water supply management challenges in times of normal precipitation. Drought exasperates these challenges.

During the 1995-1996 drought, the Southwest and southern Great Plains states, including New Mexico, which were hit hard by the drought, were often frustrated in our attempts to provide drought assistance to our citizens. In my own state, for example, the drought exacerbated the fire season. In 1996, more than 85,380 acres burned on state and private lands costing taxpayers about \$7 million. What we generally found was that most government agencies, at all levels, lacked policy for planning and responding to drought, regardless of its duration or impacts. In addition, this provides confusion and a lack of understanding of

roles and responsibilities among government entities. The lack of state-wide preplanning for some states, plus the absence of organizational structures and processes to identify and resolve issues, facilitate networking and promote partnerships also hindered reaction time and effectiveness.

At the federal level, we found that droughts had historically been treated as unique, separate events even though there had been frequent, significant droughts of national consequences over the years. Actions were taken mainly through special legislation and ad hoc action measures rather than through a systematic and permanent process, as occurs with other natural disasters. Frequently, funding to assist states with related impacts was unavailable, or not available in a timely manner.

In reaction to this disjointed national drought policy, Governor Johnson worked with his colleagues in WGA to develop a policy resolution. His efforts were successful as the Governors adopted a resolution which stated in part: "The Western governors believe that a comprehensive, integrated response to drought emergencies is critical...[and that] it is important to work together and cooperatively with other affected entities to plan for and implement measures that will provide relief from the current drought and prepare for future drought emergencies." In addition, the resolution called on western states to further study the issue and make recommendations on how to improve federal and state responses to drought.

The states' recommendations are contained in a 1996 report "Drought Response Action Plan." Besides making suggestions on how to improve responses to droughts, the report emphasized the need for incorporating mitigation and preparedness measures in government drought programs. One key recommendation called for the development of "a national drought policy or framework that integrates actions and responsibilities among all levels of government (federal, tribal, state, regional and local)." With strong support of the Western Governors, Congress enacted the "National Drought Policy Act of 1998, PL 105-109. The law established an "advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare and respond to serious drought emergencies." The National Drought Policy Commission's report was issued last year.

A second key recommendation in the 1996 WGA report called for the creation of a regional drought coordination council. This recommendation led to a Memorandum of Understanding between WGA and several federal agencies which was signed in early 1997. The MOU resulted in the establishment of the Western Drought Coordination Council (WDCC). Co-chaired by Governor Johnson and Deputy Secretary Richard Rominger of USDA, the Council members concentrated their efforts on improving drought preparedness, mitigation and response in the West.

During the next two years, the WDCC worked to close some of the gaps identified in the report. As examples, the WDCC generated such products as: (1) a step-by-step guide for planners to help identify and assess their vulnerability to drought; (2) the *Catalog of Federal Assistance Programs*, which was an effort to identify all of the federal drought assistance programs and make them available in one catalog; and, (3) the *Western Climate and Water Status Report*, which was an effort to coordinate available monitoring data into quarterly reports to alert officials to potential drought development.

Despite making significant strides in coordinating drought programs, the WDCC recognized a critical piece was still missing: federal legislation articulating, indeed mandating, the coordination and integration of drought programs. Consequently, in May 1999, the Western Drought Coordination Council went into hiatus in order to focus on providing assistance to the National Drought Policy Commission and to avoid a duplication of effort.

In a 1999 policy resolution, Western governors reiterated their call for a comprehensive, integrated response to drought emergencies, including mitigation planning. Western governors view this as critical to the social, environmental and economic well-being of the West.

In urging that Congress enact legislation, which provides for a comprehensive, coordinated and integrated approach to future drought emergencies, the Governors also recommended the following elements:

- (1) Monitoring/Assessment/Prediction - Provides for the development of a comprehensive monitoring system to collect, analyze and disseminate available data and products in a useable manner so citizens and businesses can make critical decisions based on credible data.
- (2) Preparedness and Mitigation - Provides a framework that assists states, federal agencies, tribes, local governments and water utility agencies to assess vulnerabilities and therefore enable them to reduce the economic, social and environmental impacts (i.e. vulnerability) of drought; provides incentives for a variety of preparedness actions, policies and mitigation options that will facilitate improved cooperation among all levels of government and promote individual responsibilities in planning for and mitigating drought impacts; and provides policy to promote drought contingency planning, emphasizing a more proactive, anticipatory approach to drought management.
- (3) Response - Enhances the current drought response capability of federal agencies, states, localities and tribes through a variety of appropriate policies and programs; provides needed policy to promote regional drought response mutual aid; strengthens intergovernmental response partnerships; and improves overall drought response management and customer service.
- (4) Communications - Encourages the use of a variety of communication tools to identify and use drought-related information.

As mentioned above, the National Drought Policy Commission issued its report in May 2000. In recommending that comprehensive legislation be enacted, the Commission found that "this country relies on a patchy approach to reduce the impacts of drought."

Using the reports and recommendations of the Western Governors, the Western Drought Coordination Council, and the National Drought Policy Commission, WGA now has begun to develop draft legislation to turn the recommendations into reality. We cannot emphasize enough that Congress must engage this topic and act in order to develop national policies which will organize and integrate the federal drought preparedness programs and improve the overall response to drought. Additionally, we believe Congress should consider reviewing such programs and issues as the repositioning of fire fighting equipment, water hauling, crop insurance, livestock feed assistance, drought planning, drought monitoring programs, and the definition and use of federal drought program 'triggers.' Finally, the legislation should provide the appropriate authorization and funding. WGA anticipates forwarding a draft bill to Congress for your consideration in mid- to late April.

The WGA drought bill will be comprehensive and likely require review and consideration by a number of Congressional committees, including this one. Nevertheless, given La Nina, El Nino, Global Warming, and the normal occurrence of drought, we hope Congress will meet the challenge and help prepare the nation for drought by enacting legislation.

Again, on behalf of the Western Governors, thank you for giving us the opportunity to provide testimony on

Western Water Issues and in particular drought policy. We look forward to working with you to address the complex water issues that face our region and nation.

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